
de maximis, inc.

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November 15, 2011

VIA ELECTRONIC & US MAIL

Ms. Stephanie Vaughn ATTN: Lower Passaic River Remedial Project Manager Emergency and Remedial Response Division U.S. EPA, Region 2 290 Broadway, 19th Floor New York, New York 10007

Re: Monthly Progress Report No. 54 – October 2011 Lower Passaic River Study Area (LPRSA) Remedial Investigation/ Feasibility Study (RI/FS) CERCLA Docket No. 02-2007-2009

Dear Ms. Vaughn:

de maximis, inc. is submitting this Monthly Progress Report for the above-captioned project on the behalf of the RI/FS Agreement Settling Parties (Cooperative Parties Group or CPG) pursuant to the Administrative Settlement Agreement and Order on Consent (Settlement Agreement or AOC). The Progress Report satisfies the reporting requirements of Paragraph 42 of said Settlement Agreement.

(a) Actions which have been taken to comply with this Settlement Agreement during the previous month.

Meetings/Conference Calls

On October 21, EPA, CPG, and EPA and CPG contractors held a conference call
to discuss the CPG's anticipated field work and deliverables schedule for the
next several months.

Correspondence

- On October 3, EPA approved the River Mile (RM) 10.9 Hydrodynamic Survey QAPP response to comments (RTC) and requested that the revised QAPP be submitted for review and approval.
- On October 3 through 7, 10 through 14, 17 through 21, 24 through 28, and October 31, CPG submitted daily reports to EPA for RM 10.9 Characterization field activities.

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- On October 3, CPG submitted Field Modification FM 111003-1 to the RM 10.9 Characterization QAPP pertaining to the proposed relocation of three stations due to the presence of utility lines.
- On October 5, CPG uploaded revision 1 of the RM 10.9 Hydrodynamic Study QAPP to the EPA SharePoint Site.
- On October 5, CPG submitted to EPA unvalidated data from the rapid turnaround time (TAT) data collection effort associated with Small Volume Chemical Water Column Monitoring (SV CWCM) Event #1. EPA and CPG exchanged emails from October 5 through October 7 regarding this expedited submission of the SV CWCM rapid TAT data.
- On October 5, EPA approved FM 111003-1 regarding the relocation of three stations in the RM 10.9 Characterization program.
- On October 5, CPG began the Post-Hurricane Irene Bathymetry Survey of the Lower Passaic River Study Area (LPRSA).
- On October 6, CPG notified EPA that the contractor conducting the Post-Hurricane Irene Bathymetry Survey had encountered a submerged broken piling, damaging the weld on the mounting boom on the boat for the survey equipment. The vessel was pulled from the river for repairs.
- On October 5, 6, and 23 through 31, CPG submitted daily reports to EPA for the Post-Hurricane Irene Bathymetry Survey.
- On October 10, EPA and CPG exchanged emails regarding the status of the repairs to the boat and equipment conducting the Post-Hurricane Irene Bathymetry Survey.
- On October 11, CPG contractors notified EPA contractors that the raw data from the SV CWCM Event #1 rapid TAT program in an EQuIS 4-file format Electronic Data Deliverable (EDD) format was uploaded to the EPA SharePoint site.
- On October 13, EPA approved the three field modifications for the RM 10.9 Characterization QAPP submitted on September 21, 2011.
- On October 13 and 14, CPG Modeling Team exchanged emails with EPA's modeling contractor (HQI) regarding information requests discussed at the September 29, 2011 CPG/EPA Modeling Meeting.
- On October 14, CPG uploaded the revised RM 10.9 Hydrodynamic Survey QAPP to the EPA SharePoint Site and submitted the final RTC file to EPA.
- On October 15, EPA approved the RM 10.9 Hydrodynamic Survey QAPP.
- On October 17, CPG submitted the Monthly Progress Report to EPA.
- On October 17, CPG notified EPA that all of the ADCPs and water level gages for the RM 10.9 Hydrodynamic Survey were deployed on that date.
- On October 18, CPG notified EPA that the weather forecast for October 19 indicated that a wet weather transect survey specified in the RM 10.9



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Hydrodynamic Survey QAPP could be conducted on the 19th and that the CPG intended to mobilize for this event.

- On October 18, CPG notified EPA that the Post-Hurricane Irene Bathymetry Survey boat contractor had completed repairs to their equipment and that they planned to resume survey activities on October 22.
- On October 19, EPA provided comments on the draft Low Resolution Coring (LRC) Supplemental Sampling Program (SSP) QAPP to CPG.
- On October 19, CPG notified EPA that the CPG has initiated a one year Creel Angler Survey (CAS) of the LPRSA pursuant to a peer-reviewed work plan.
- On October 21, CPG confirmed to EPA that the CPG Modeling Team had provided to EPA's modeling contractor on October 20, 2011 requested information related to presentations and inputs used with the Passaic-only computer model for low-flow application and the corresponding code version.
- On October 27, CPG and EPA contractors exchanged emails regarding the status and availability of the 2009 and 2010 EPA split benthic sediment and tissue data.

<u>Work</u>

- CPG continued conducting the RM 10.9 Characterization field activities.
- CPG continued chemical analysis of samples collected during the RM 10.9 Characterization field activities.
- CPG continued processing of the RM 10.9 Bathymetry Survey data.
- CPG began conducting the RM 10.9 Hydrodynamic Survey On October 17.
- CPG began the Post-Hurricane Irene Bathymetry Survey of the Lower Passaic River on October 5.
- Following equipment repairs to the Post-Hurricane Irene Bathymetry Survey equipment damaged on October 6, survey activities were resumed on October 23 and were conducted daily through October 31.
- CPG continued analysis of water column samples collected during the SV CWCM Event #1.
- CPG initiated validation of SV CWCM Event #1 data.
- CPG began planning for the SV CWCM Event #2.
- CPG continued planning activities for the High Volume Chemical Water Column Monitoring (HV CWCM) QAPP Addendum.
- CPG responded to comments on and revised the LRC SSP QAPP.
- CPG completed validation of composite tissue sample data from the spring 2011 Caged Bivalve Study (CBS).
- CPG continued drafting the fall 2009 Benthic Survey toxicity data report.
- CPG continued drafting the winter/spring 2011 Avian Survey Report.



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- CPG Modeling Team continued work on the HQI ECOM-SEDZLJS Sediment Transport Model code including calibration for low-flow conditions utilizing CPG input files.
- CPG Modeling Team continued work on the RCATOX Chemical Fate and Transport Model Code.
- CPG continued review of sediment characteristics and potential target remedy locations in support of initial Feasibility Study (FS) evaluations.
- CPG continued development of a FS cost estimating framework.

(b) Results of Sampling and Tests

- On October 11, CPG posted raw data from the SV CWCM Rapid TAT program EDDs to the EPA SharePoint site.
- On October 19, CPG submitted EDDs with validated and unvalidated data associated with the analysis of composite tissue samples from the spring 2011 Caged Bivalve Study (CBS) QAPP to EPA.
- On October 21, CPG submitted unvalidated PCDD/PCDF data from the SV CWCM program to the EPA.

(c) Work planned for the next two months with schedules relating to the overall project schedule for RI/FS completion

- CPG will complete the RM 10.9 Characterization field activities.
- CPG will complete the Post-Hurricane Irene Bathymetry Survey of the LPRSA.
- CPG will complete the RM 10.9 Hydrodynamic Survey.
- CPG will continue analysis of sediment samples from the RM 10.9 Characterization program.
- CPG will continue data validation of the RM 10.9 Characterization analytical data.
- CPG will begin conducting the LRC SSP program.
- CPG will continue drafting of the fall 2009 Benthic Survey toxicity data report.
- CPG will continue drafting the 2010 Small Foraging Fish Tissue Chemistry Data Report.
- CPG will continue responding to EPA comments on the spring 2010 Benthic Community Survey field report.
- CPG will continue drafting the 2011 Avian Survey Report.
- · CPG will begin drafting a report of the CBS data.



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- CPG will continue to revise the risk assessment planning documents (Background/Reference Site, Ecological Life History Profiles, and Data Usability documents) in response to EPA comments.
- CPG will complete chemical analysis of the SV CWCM Event #1 water column samples.
- CPG will complete validation of the SV CWCM Event #1 data.
- CPG will continue planning activities for the HV CWCM QAPP Addendum.
- CPG will complete planning activities for the SV CWCM Event #2.
- CPG will conduct the SV CWCM Event #2.
- CPG Modeling Team will continue work with the HQI ECOM-SEDZLJS code, inputs, and low to medium flow calibration and continue work with the RCATOX code and inputs.
- CPG will participate in LPR/Newark Bay Modeling Program progress calls and follow-up modeling collaboration meetings with EPA and EPA consultants.
- CPG will continue initial FS evaluation of targeted remedy locations and development of cost estimating tools.

(d) <u>Problems encountered and anticipated problems, actual or anticipated delays, and solutions developed and implemented to address actual or anticipated problems or delays.</u>

- Based upon discussions with EPA, the CPG understands that the calibration of the HQI sediment transport model was completed by the EPA Modeling Team during the fourth quarter of CY 2010 and that changes were and continue to be made to the HQI SEDZLJS code and inputs used by EPA in its calibration. It is also the CPG's understanding that EPA is continuing work to improve their calibration. As such, the CPG is continuing to work on both its high flow calibration and its long-term daily calibration. The EPA and CPG collaboration meetings were conducted in April, May, July and September; these meetings are providing an opportunity for both modeling teams to understand difference between each team's approaches. Delays associated with both the sediment transport modeling and chemical fate transport modeling schedules are extending the completion of the LPRSA RI/FS.
- The CPG understands that the EPA approved Tierra's CSO/SWO Workplan in May 2011 and that the execution of the AOC between EPA and Tierra or other signatories has been completed. It is also the CPG's understanding that the Method Detection Studies and other work must be completed prior to the start of



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the Phase 1 work. The extent of the RI/FS schedule impacts is dependent on the completion of this studies and initiation of Phase 1.

• EPA provided comments on July 11, 2011 which disapproved the revised risk assessment planning documents and required submission of revised documents within 30 days. Additionally, EPA provided a technical memo on July 25, 2011 on fish and crab consumption rates for the LPRSA Human Health Risk Assessment. The CPG filed a notice of dispute resolution in accordance with Section XV of the AOC on July 25, 2011 in response to EPA's July 11, 2011 directive letter and July 25, 2011 technical memorandum. The revised RARC and TRV deliverables were submitted on August 9, 2011. On September 6, 2011 the CPG submitted a position paper in response to EPA's July 11, 2011 comments and July 25, 2011 technical memorandum. EPA indicated during an October 28, 2011 phone call that it would schedule a meeting regarding dispute resolution in late November.

If you have any questions, please contact me or Rob Law at (908) 735-9315.

Very truly yours,

de maximis, inc.

Willard F. Potter
Project Coordinator

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